

the end of the required incubation period except as provided in this paragraph or paragraph (b) or (c) of this section. An establishment wishing to ship product prior to the completion of the required incubation period shall submit a written proposal to the area supervisor. Such a proposal shall include provisions that will assure that shipped product will not reach the retail level of distribution before sample incubation is completed and that product can be returned promptly to the establishment should such action be deemed necessary by the incubation test results. Upon receipt of written approval from the area supervisor, product may be routinely shipped provided the establishment continues to comply with all requirements of this subpart.

(2) *Container condition.* (i) *Normal containers.* Only normal-appearing containers shall be shipped from an establishment as determined by an appropriate sampling plan or other means acceptable to Program employees.

(ii) *Abnormal containers.* When abnormal containers are detected by any means other than incubation, the establishment shall inform the inspector and the affected code lot(s) shall not be shipped until the Program has determined that the product is safe and stable. Such a determination will take into account the cause and level of abnormalities in the affected lot(s) as well as any product disposition actions either taken or proposed by the establishment.

(Approved by the Office of Management and Budget under control number 0583-0015)

[51 FR 45634, Dec. 19, 1986, as amended at 57 FR 37872, Aug. 21, 1992; 57 FR 55443, Nov. 25, 1992; 62 FR 45027, Aug. 25, 1997; 65 FR 34391, May 30, 2000; 65 FR 53533, Sept. 5, 2000]

§ 381.310 Personnel and training.

All operators of thermal processing systems specified in § 381.305 and container closure technicians shall be under the direct supervision of a person who has successfully completed a school of instruction that is generally recognized as adequate for properly training supervisors of canning operations.

[51 FR 45634, Dec. 19, 1986]

§ 381.311 Recall procedure.

Establishments shall prepare and maintain a current procedure for the recall of all canned product covered by this subpart. Upon request, the recall procedure shall be made available to Program employees for review.

(Approved by the Office of Management and Budget under control number 0583-0015)

Subpart Y—Nutrition Labeling

SOURCE: 58 FR 675, Jan. 6, 1993, unless otherwise noted.

§ 381.400 Nutrition labeling of poultry products.

(a) Nutrition labeling shall be provided for all poultry products intended for human consumption and offered for sale, except single-ingredient, raw products, in accordance with the requirements of § 381.409, except as exempted under § 381.500 of this subpart.

(b) Nutrition labeling may be provided for single-ingredient, raw poultry products in accordance with the requirements of §§ 381.409 and 381.445. Significant participation in voluntary nutrition labeling shall be measured by the Agency in accordance with §§ 381.443 and 381.444 of this subpart.

[58 FR 675, Jan. 6, 1993, as amended at 60 FR 197, Jan. 3, 1995]

EFFECTIVE DATE NOTE: At 75 FR 82166, Dec. 29, 2010, § 381.400 was revised, effective Jan. 1, 2012. At 76 FR 76890, Dec. 9, 2011, the effectiveness was delayed until Mar. 1, 2012. For the convenience of the user, the revised text is set forth as follows:

§ 381.400 Nutrition labeling of poultry products.

(a) Nutrition labeling must be provided for all poultry products intended for human consumption and offered for sale, except single-ingredient, raw poultry products that are not ground or chopped poultry products described in § 381.401 and are not major cuts of single-ingredient, raw poultry products identified in § 381.444, unless the product is exempted under § 381.500. Nutrition labeling must be provided for the major cuts of single-ingredient, raw poultry products identified in § 381.444, either in accordance with the provisions of § 381.409 for nutrition labels, or in accordance with the provisions of § 381.445 for point-of-purchase materials, except as exempted under § 381.500. For all other products that require nutrition labeling, including